

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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		ELECTRONICALLY FILED
		DOC #: _____
		DATE FILED: <u>10/18/2022</u>
AUSTIN SANCTUARY NETWORK et al,	:	
	:	
Plaintiffs,	:	
	:	20-cv-01686 (LJL)
-v-	:	
UNITED STATES IMMIGRATION AND CUSTOMS	:	<u>ORDER</u>
ENFORCEMENT et al,	:	
	:	
Defendants.	:	
	X	

LEWIS J. LIMAN, United States District Judge:

The parties have submitted letters to the Court concerning continued disputes they have regarding (i) the date by which documents specified in the Court's opinion and order on summary judgment, Dkt. No. 77, should be produced; (ii) the date by which the new searches of ICE senior leadership and the Offices of Public Affairs and Partnership and Engagement should be complete; (iii) the date at which productions should start; and (iv) the rate at which ICE must process and/or produce documents. Dkt. Nos. 82, 84–85, 87.

Having reviewed the parties' positions as to each of these disputed issues, the Court orders ICE to produce Exhibits A.8, C.4, the portions of D.14 not subject to FOIA Exemption 7(C) redactions, and the portions of D.17 withheld only under the deliberative process privilege by December 12, 2022. ICE's obligation to produce Exhibits D.5, D.9, D.18, and D.20 and its attorney-client privilege withholdings is stayed pending a decision on ICE's anticipated renewed motion for summary judgment. The Court further orders ICE to complete its search by November 22, 2022 and sets a processing schedule of 500 pages per month. The Court bases its decision, in part, on the fact that Plaintiffs have not articulated any compelling need for the

documents on an earlier date or any particular urgency they have for the receipt of the requested records, which relate to a policy that is no longer in effect, which was terminated shortly after the federal officials involved in it were sued, and which was officially rescinded in January 2021.

The Court also orders the parties to provide a status report to the Court by December 12, 2022 and every four weeks thereafter, including on the rate of document production and the anticipated date for completion of the document production. Depending on the rate of production that the processing rate yields, the Court will entertain an application to accelerate the processing rate. A briefing schedule for the renewed summary judgment motions will be set after production is complete absent further order of the Court to the contrary based on new information.

A status conference is scheduled in this matter for January 11, 2023 at 11am. The status conference will take place in person in Courtroom 15C at 500 Pearl St., New York, NY 10007.

SO ORDERED.

Dated: October 18, 2022
New York, New York



LEWIS J. LIMAN
United States District Judge